



Kim April Carnesi
One Riverfront Plaza, Suite 800
Newark, New Jersey 07102
Kim.Carnesi@lewisbrisbois.com
Direct: 973.577.6256

March 14, 2023

MEMO ENDORSED

File No. 36629.172

Via ECF

Hon. Valerie E. Caproni, U.S.D.J.
Thurgood Marshall Courthouse
40 Foley Square – Courtroom 443
New York, NY 10007

USDC SDNY
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Re: Estate of Lara Halwani, et al. v. Brightside Health, Inc., et al.
Case No.: 1:23-cv-00800-VEC

Dear Judge Caproni:

Our firm represents Defendants, Brightside Health, Inc., Brightside Medical, P.C., Beth Tafuri, LCSW and Lissa Goldstein, M.D., in the above-referenced action. Kindly allow the within correspondence to serve as a formal request for an adjournment of Plaintiff's pending Motion to Remand to the Supreme Court of New York.

Plaintiff's Motion to Remand is currently returnable before Your Honor on March 30, 2023. Plaintiff's counsel has consented to adjourn the Motion to Remand to April 28, 2023. The parties respectfully request to modify the briefing schedule to allow Defendants to file their opposition by March 31, 2023 and Plaintiff to file a reply on April 10, 2023. The basis for the extension/adjournment of the motion return date is to permit defense counsel additional time to communicate with their clients in order to prepare opposition. Defense counsel is currently attending depositions this week and part of next week.

Additionally, Defendants write to request an adjournment of the Initial Pretrial Conference which is currently scheduled before Your Honor on March 31, 2023. We would like to adjourn this conference to May 19, 2023 to allow for a resolution of the pending Motion to Remand to the Supreme Court of New York. It is respectfully submitted that the within request for adjournment of the Initial Pretrial Conference will not affect any other scheduled dates.

There have been no previous requests for adjournment and our adversary Jason Chamikles, Esq. of Gentile & Associates has consented to these requests.

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Very truly yours,

/s/ Kim April Carnesi

Kim April Carnesi of
LEWIS BRISBOIS BISGAARD &
SMITH LLP

KAC/kea
Encl.

cc: Laura Gentile, Esq. (via ECF)
Jason Chamikles, Esq. (via ECF)

Application GRANTED in part. Defendants' deadline to oppose the motion to remand is **March 31, 2023**; Plaintiffs' reply is due no later than **April 10, 2023**.

The Initial Pretrial Conference ("IPTC"), scheduled for March 31, 2023, is hereby ADJOURNED *sine die*.

SO ORDERED.



Date: 3/15/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE